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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
 Plaintiff,  
 v.  
 JOHN JOSEPH COTA,  
 Defendant.

CR 08-0160 SI

[Proposed] ORDER SETTING DATES and  
 EXCLUDING TIME FROM AUGUST 7,  
 2008 to SEPTEMBER 18, 2008

On August 7, 2008, the parties appeared before the Court and set the following dates

- August 18, 2008 The Government will provide full discovery.
- September 2, 2008 The Government will provide relevant expert reports.
- September 2, 2008 Material witness counsel will file any submissions.
- September 12, 2008 by noon Defense Counsel will file a submission stating their proceed with Rule 15 depositions; the Government may file a submission
- September 18, 2008 at 2:00 p.m. Hearing regarding Rule 15 depositions
- October 1, 2008 Rule 15 depositions Liang Xian Zheng
- October 3, 2008 Rule 15 depositions Zong Bin Li

At that appearance, the parties agreed that the period of delay from AUGUST 7, 2008 2008, to September 18, 2008, be excluded in computing the time within which the trial must commence. The grounds for this exclusion are the complexity of the case, and the need for the parties to exchange and review further discovery. Failure to grant such a continuance would unreasonably deny the defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. Section 3161(h)(8)(A) and (B)(iv). Further the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
JOSEPH C. SPERO  
United States Magistrate Judge